

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FBG Wall LLC,

Plaintiff,

-against-

Wal-Mart Real Estate Business Trust,

Defendant.  
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Stipulation Extending  
Defendant's Time to Respond

Case No. 08 CV 1255 (HB)

WHEREAS, Plaintiff has filed a Summons and Complaint in the above-captioned matter alleging certain causes of action; and

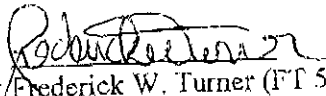
WHEREAS, pursuant to an agreement on behalf of the parties, the Summons and Complaint were served on Defendant by delivery to its counsel on or about March 17, 2008, and by an Acknowledgment and Acceptance of Service of the Summons and Complaint the undersigned counsel accepted such service and appeared as counsel for the Defendant;

WHEREAS, Defendant Wal-Mart Real Estate Business Trust (Wal-Mart) has requested additional time to respond to the Complaint;

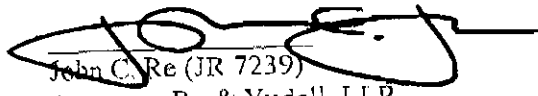
NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and Defendant Wal-Mart that the time for Defendant Wal-Mart to answer, move, or otherwise respond to the Complaint in the above-captioned action is hereby extended for all

purposes and without prejudice to either party to May 16, 2008.

AGREED:

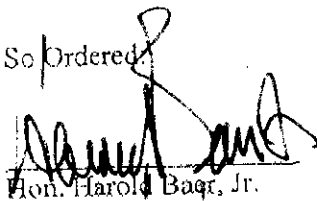
  
Frederick W. Turner (FT 5083)  
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Dated: April 18, 2008

  
John C. Re (JR 7239)  
Aronauer, Re & Yudell, LLP  
Attorneys for Plaintiff  
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New York, New York 10022  
212.755.6000

Dated: 4/18/08

So Ordered:

  
Hon. Harold Baer, Jr.

Dated: 4.21.08